



MINUTES
CITY OF NORCO
PLANNING COMMISSION
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE
REGULAR MEETING
October 12, 2011

1. CALL TO ORDER: **7:00 PM**
2. ROLL CALL: **Chair Wright, Vice-Chair Henderson, Commission Members Hedges, Jaffarian and Leonard**
3. STAFF PRESENT: **Planning Director King, Senior Planner Robles and Deputy City Clerk Germain**
4. PLEDGE OF ALLEGIANCE: **Commissioner Leonard**
5. APPEAL NOTICE: **Read by PD King**
6. HEARING FROM THE AUDIENCE ON ITEMS NOT LISTED ON THE AGENDA: **NONE**
7. APPROVAL OF MINUTES: Minutes of August 31, 2011 (Special Meeting), September 6, 2011 (Special Meeting) and September 14, 2011 (Regular Meeting) **Recommended Action: Approval** (Deputy City Clerk)

M/S Jaffarian/Henderson to approve the minutes of August 31, September 6 and September 14, 2011 as written

AYES: Unanimous

Motion Passed

8. CONTINUED ITEMS: Conditional Use Permit 2011-16 (Arroyo): A Request for Approval to Allow an Accessory Building Consisting of a 938 Square-Foot Carport and Storage Building at 3764 Sierra Avenue Located within the A-1-20 Zone. **Recommended Action: Approval** (SP Robles)

SP Robles presented the staff report on file in the Planning Division. She noted that this request was previously denied by the Commission, adding that the property owner has modified the plan based on the Commission's input. Staff recommends approval.

In response to PC Hedges, SP Robles confirmed that any changes to the plan would require review by this Commission, and that access to the bathroom is from the outside of the building.

Vice-Chair Henderson suggested that the following be added to all CUPs for accessory buildings, "building permits for this accessory building are issued within the confines of the approved conditional use permit, any violation of a condition resulting in a revocation of this CUP may result in an order to remove the accessory building at owner's expense." He also requested that the following be added to this CUP, "no

modification to the bathroom without modification to the CUP, no provisions for temporary or permanent cooking facilities and building shall not be used for human habitation", noting that if not followed it would violate the conditions of the CUP.

The remaining Commission Members agreed with the conditions, but PC Jaffarian suggested that there needs to be more discussions on the building permit clause.

PD King also agreed with the comments, he noted that he will contact the City Attorney for proper verbiage and bring that issue back to the Commission for final approval.

M/S Jaffarian/Hedges to adopt Resolution 2011-59, approving CUP 2011-16 to allow an accessory building consisting of a 938 square-foot carport and storage building at 3764 Sierra Avenue, adding the following 1) no modification to the bathroom, 2) no provisions for cooking facilities, 3) no provisions for human habitation and 4) building permits for this accessory building are issued within the confines of the approved conditional use permit; any violation of a condition resulting in a revocation of this conditional use permit may result in an order to remove the accessory building at owner's expense.

AYES: Unanimous

Motion Passed

9. PUBLIC HEARINGS: Conditional Use Permit 2011-17 (Rissman): A Request for Approval to Allow an Accessory Building Consisting of a 1,489 Square-Foot Barn at 3243 Temescal Avenue Located within the A-1-20 Zone. **Recommended Action: Approval** (SP Robles)

SP Robles presented the staff report on file in the Planning Division. All requirements have been met. Staff recommends approval.

Chair Wright OPENED the public hearing, indicating that proper notification had been made and asked for the appearance of those wishing to speak. With no one wishing to speak, Chair Wright CLOSED the public hearing, bringing the discussion back to the Commission.

Vice-Chair Henderson asked that the previously discussed condition be added to this CUP.

Remaining Commission Members concurred.

M/S Jaffarian/Henderson to adopt Resolution 2011-57, approving CUP 2011-17 to allow an accessory building consisting of a 1,489 square-foot barn at 3243 Temescal Avenue, adding the following condition: Building permits for this accessory building are issued within the confines of the approved conditional use permit; any violation of a condition resulting in a revocation of this conditional use permit may result in an order to remove the accessory building at owner's expense.

AYES: Unanimous

Motion Passed

10. BUSINESS ITEMS:

- A. Site Plan 2011-18 (Arambula/Valencia): A Request for Approval to Allow an Accessory Building Consisting of an 864 Square-Foot Barn at 3251 Cutting Horse Road Located within the Norco Ridge Ranch Specific Plan (NRRSP). **Recommended Action: Approval (SP Robles)**

SP Robles presented the staff report on file in the Planning Division. Staff recommends approval.

Some discussion ensued.

M/S Henderson/Jaffarian to adopt Resolution 2011-58, approving Site Plan 2011-18 to allow an accessory building consisting of an 864 square-foot barn at 3251 Cutting Horse Road, adding the following condition: Building permits for this accessory building are issued within the confines of the approved conditional use permit; any violation of a condition resulting in a revocation of this conditional use permit may result in an order to remove the accessory building at owner's expense.

AYES: Unanimous

Motion passed

- B. Proposed Zone Code Amendment (City): To Amend Sections 18.13.06D and 18.13.08R of the Norco Municipal Code to Change Regulations Regarding the Allowed Number of Roosters on a Lot. **Recommended Action: Set for public hearing (PD King)**

PD King presented the staff report on file in the Planning Division. He stated that in response to a City Council request to review rooster regulations, the Planning Commission determined to set up a sub-committee to review the possible revisions.

PD King noted that without hard evidence it is difficult for either staff or sheriff's deputies to follow up on potential violations. He reviewed four primary key points for discussion, how and when to count roosters, how many allowed in A-1 Zone, how to get City authority to enter a property when a violation is reported, and establishing accelerated violation fees. He noted that the Norco Hills Specific Plan will need to be revised to add a reference back to A-1 Zone code for all animal issues not already covered with "animal units"; adding that the Norco Ridge Ranch Specific Plan already has this reference. PD King stated that a minimum lot size was not discussed with the Sub-Committee; he suggested a 10,000 square-foot lot to allow one rooster. He noted that a public hearing is tentatively set for October 26, 2011, and asked for the Commissions' recommendation.

Chair Wright invited the appearance of those wishing to speak.

PD King read from a letter received prior to the meeting from **Sheldon and Judy Richman**, they noted their support for the proposal to limit the maximum number of roosters to five before a CUP is required.

Patricia Overstreet: Mrs. Overstreet asked the Commission to consider the public's health and respect of neighbors.

Roy Hungerford: Mr. Hungerford stated that he likes what is being proposed, he is in favor of this proposition.

Dan Leach: Mr. Leach stated he appreciates that this issue is being addressed, he is in favor.

Jeff Josselyn: Mr. Josselyn stated he also appreciates this discussion and he supports it.

Dan Stangl: Mr. Stangl agreed that this could be a problem, and likes that it is being addressed now.

Chair Wright brought discussions back to the Commission.

PC Hedges stated that she did not like the phrasing within the proposed regulations section, "*within a reasonable amount of time*" for documentation to be provided to City staff upon request, she asked that a specific time frame be noted.

In response to PC Hedges, PD King stated that current properties with a large amount of roosters cannot be grandfathered in. He added that if passed, these property owners will be given a grace period to comply with the new code, including applying for a CUP and pay fees.

PC Leonard suggested that if the number of roosters exceeds maximum number allowed on an appropriate sized lot, the property owner should be required to return for approval to build a sound proof building to house the birds.

PC Jaffarian commended the sub-committee on the information put together. He liked the idea of a sound-proof building, but noted that a policy will need to be discussed and set. PC Jaffarian shared that five roosters on a lot is excessive based on his own experience, adding that he agrees that a minimum lot size of 10,000 square-foot is appropriate for one rooster. He suggested that the fines be set higher and agreed with the content of the proposed regulations section.

Vice-Chair Henderson concurs with the previous comments made. He noted his concerns regarding compliance follow-up, the lack of a mechanism to get an inspection warrant to enter a potential violation property, and asked that the conditions note that a CUP application can only be accepted from kids groups and individuals that show roosters.

Chair Wright suggested that a time limit be set on CUP validity. He concurred with all the suggestions mentioned, such as higher fees and that five roosters may be too many. He suggested setting the maximum at three; Vice-Chair Henderson and PC Jaffarian agreed.

Chair Wright announced a public hearing has been set for October 26, 2011 on this item.

11. CITY COUNCIL: **Received and Filed**
 - A. Recap of Actions Taken at the October 5, 2011 City Council/Community Redevelopment Agency Meeting.
 - B. City Council Minutes dated September 7 and September 21, 2011
12. PLANNING COMMISSION: Oral Reports from Various Committees: **NONE**
13. STAFF: Current Work Program dated October 6, 2011: **Received and Filed**
14. OTHER MATTERS
 - A. Follow-up on Items from Previous Meetings (Director King): **NONE**
 - Vice-Chair Henderson suggested that if staff makes a recommendation contrary to the Planning Commission's decision, that the Planning Commission Chair be advised so that he may have the opportunity to go to the Council meeting to speak on behalf of the Commission.
 - Chair Wright inquired about the minimal truck traffic currently at egg ranch; PD King confirmed that there are two licensed businesses currently at the location.
 - Chair Wright asked for an update on the Silverlakes Equestrian and Sports Park; in response, PD King noted that the project is moving forward.
15. ADJOURNMENT: Chair Wright adjourned the meeting at **8:12 PM**

Respectfully submitted,

Steve King
Planning Secretary